

September 2, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Keith Leslie Williams, Nicolle Hannah Packer and Andrew Arthur Gooley

Application No.: 10/781,333 Group: 2857

Filed: February 17, 2004 Examiner: To be determined

Confirmation No.: 9422

For: METHOD FOR ANALYSING SAMPLES OF BIOMOLECULES IN AN ARRAY

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
September 2, 2004	Beverly Weinberger
Date	Signature
Beverly Weinberger	
Typed or printed name of person signing certificate	

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

☒ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☐ under 37 CFR 1.97(c) together with either:
☐ a Statement under 37 CFR 1.97(e), as checked below, or
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:
☐ a Statement under 37 CFR 1.97(e), as checked below, and
☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.
(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☐ Copies of the cited references are enclosed.
- ☐ Since this application was filed after June 30, 2003, copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☒ Copies of the cited references were entered in prior application, U.S. Application No. 09/403,196, to which priority under 35 U.S.C. 120 is claimed. The earlier application file contains copies of the cited references.
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☐ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

_____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

☐ A copy of each above-cited application, including the current claims, is enclosed.

☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

It is requested that the information disclosed herein be made of record in this application.

Method of payment:

☐ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.

☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.

☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By

Carol A. Egner

Carol A. Egner

Registration No.: 38,866

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: September 2, 2004

PTO-1449 REPRODUCED

ATTORNEY DOCKET NO.
3170.1001-001APPLICATION NO.
10/781,333FIRST NAMED INVENTOR
Keith Leslie WilliamsFILING DATE
February 17, 2004EXAMINER
Not AssignedCONFIRMATION NO.
9422GROUP
2857INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

September 2, 2004

(use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AA	4,960,999	10-02-1990	McKean <i>et al.</i>
	AB	5,671,086	09-23-1997	Parvin <i>et al.</i>
	AC	4,877,745	10-31-1989	Hayes <i>et al.</i>
	AD	5,667,656	09-16-1997	Kambara
	AE	6,007,231	12-28-1999	Vijg <i>et al.</i>
	AF	6,090,545	07-18-2000	Wohlstadter <i>et al.</i>
	AG	5,534,121	07-09-1996	Merrick <i>et al.</i>
	AH	5,993,634	11-30-1999	Simpson <i>et al.</i>
	AI	5,273,877	12-28-1993	Fey <i>et al.</i>

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER Country Code-Number-Kind Code (if known)	DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO	
	AL	WO96/09600	03-28-1996	Neopath, Inc.		
	AM	WO98/07022	02-19-1998	Imaging Research, Inc.		
	AN	EP 0 646 784 A1	04-05-1995	Miles, Inc.		
	AO	WO97/44134	11-27-1997	Incyte Pharmaceuticals, Inc.		
	AP	WO98/23950	06-04-1998	Oxford Glycosciences, Ltd.		
	AQ	WO00/79238 A1	12-28-2000	Proteome Systems, Ltd.		
	AL2	WO02/075321 A1	09-26-2002	Proteome Systems, Ltd.		
	AM2					

EXAMINER

DATE CONSIDERED